

Justice System Appropriations Bill Senate Study Bill 1338

Last Action:

Joint Subcommittee

March 13, 2007

An Act relating to and making appropriations to the justice system.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE STUDY BILL 1338
JUSTICE SYSTEM APPROPRIATIONS BILL**

FUNDING SUMMARY

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS**

- Appropriates a total of \$499.0 million from the General Fund and 6,308.9 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$36.9 million and 324.7 FTE positions compared to the estimated FY 2007 General Fund appropriations.
- Makes the following significant General Fund increases for FY 2008:
 - **Department of Justice, Office of the Attorney General:** \$350,000 to fill authorized, vacant, unfunded FTE positions. (Page 1, Line 7)
 - **Legal Services Poverty Grants:** \$300,000 that includes \$50,000 to create a pilot project for the children in dissolution of marriage proceedings, and \$250,000 for Iowa Legal Aid. (Page 1, Line 35 through Page 2, Line 17)
 - **Department of Corrections (DOC):** An increase of \$26.3 million and 289.4 FTE positions compared to the FY 2007 General Fund appropriation. The increase includes:
 - \$632,000 for Department of Administrative Services (DAS) reimbursements. This includes the nine prisons, the eight Community-Based Corrections (CBC) District Departments, and Central Office. (Page 3, Line 28 to Page 5, Line 8; Page 5, Line 26; Page 9, Line 19 through Page 10, Line 19)
 - \$1.9 million for food, fuel, and pharmacy cost increases. This includes eight of the prisons and the eight CBC District Departments. (Page 3, Lines 28 through 35; Page 4, Line 5 though Page 5, Line 8; Page 9, Line 19 through Page 10, Line 19)
 - \$1.7 million to fill authorized, vacant, unfunded correctional officer positions. This amount should fund approximately 37.3 FTE positions. (Page 3, Line 28 through Page 5, Line 8)
 - \$17.7 million and 269.9 FTE positions to operate the 178-bed Special Needs Unit at the Iowa Medical Classification Center at Oakdale. (Page 4, Line 5)
 - \$511,000 to fund a Security Director, Safety Inspector, salary shortfall, and replace expired federal funds for the federal Prison Rape Elimination Act in the Central Office. (Page 5, Line 26)
 - \$1.0 million for the Corrections Education Program. (Page 6, Line 29)
 - \$1.8 million and 16.0 FTE positions to supervise, electronically monitor, and treat sex offenders using the Global Positioning System (GPS) bracelet. This includes the eight CBC District Departments. (Page 9, Line 19 through Page 10, Line 19)
 - \$112,000 to replace expired federal funds for a Drug Court Program in Waterloo. (Page 9, Line 19)
 - \$508,000 to provide funds for a partial year of operations for a 20-bed facility for offenders with mental illness in Cedar Rapids. (Page 9, Line 35)

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**SENATE STUDY BILL 1338
JUSTICE SYSTEM APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- **Department of Inspections and Appeals:** \$4.1 million increase to fund the projected increase in claims and fund currently authorized positions in the Office of the State Public Defender. (Page 13, Lines 2 through 21)
- **Department of Public Safety:** An increase of \$5.0 million, including:
 - \$291,000 for Public Safety Administration. (Page 15, Line 34)
 - \$1.5 million for 16.0 FTE positions in the Division of Criminal Investigation (DCI). (Page 16, Line 4)
 - \$490,000 for the Division of Narcotics Enforcement. (Page 17, Line 5)
 - \$100,000 for the Fire Marshal's Office. (Page 17, Line 13)
 - \$2.2 million for the Iowa State Patrol. (Page 17, Line 20)
- **Iowa Civil Rights Commission:** \$247,000 increase to replace federal funds. (Page 18, Line 29)
- **Homeland Security and Emergency Management Division:** \$500,000 from the E911 Carryover Fund for the 211 Program. (Page 19, Line 2)

STUDIES AND INTENT LANGUAGE

- Requires the Attorney General to contract with a nonprofit provider to create a pilot project for children of dissolution of marriage proceedings. Requires a report. (Page 2, Line 3)
- Requires the DOC to report on the Transitional Housing Pilot Project. (Page 7, Line 34)
- Requires the State Public Defender to make recommendations regarding cost containment options, and to file a report with the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA). (Page 13, Line 7)
- Allows the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 14, Line 2)
- Allows the Iowa Law Enforcement Academy to annually exchange five vehicles turned into the State Fleet Administrator by the Department of Public Safety. (Page 14, Line 8)
- Allows the Military Division to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 15, Line 8)
- Adds language requiring the Homeland Security and Emergency Management Division to work in conjunction with the Department of Public Safety on the Fusion Program. (Page 15, Line 22)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE STUDY BILL 1338
JUSTICE SYSTEM APPROPRIATIONS BILL**

**STUDIES AND INTENT LANGUAGE
(CONTINUED)**

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

- Authorizes an appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2006 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 19, Line 17)
- Permits the Iowa Law Enforcement Academy to charge more than half the cost of providing the basic training course subject to Council approval. This change is repealed on June 30, 2008. (Page 19, Line 28)

LSB1131S

LSB1131S provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
7	16	4.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
11	7	6	Nwthstnd	Sec. 8.39	Reallocation of Appropriations within the DOC and CBC District Departments
18	6	14.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training
18	11	14.9	Nwthstnd	Sec. 8.39	Reallocation of Department of Public Safety Appropriations
19	28	18	Nwthstnd	Sec. 80B.11B	Law Enforcement Academy Fees
20	1	19	Adds	Sec. 553.19.(1)	Anti-Trust Fund
20	16	19	Adds	Sec. 553.19(2)	Anti-Trust Fund
20	22	19	Adds	Sec. 553.19(3)	Nonreversion of Funds and Deposit of Interest and Earnings
20	28	20	Adds	Sec. 714.16C(1)	Consumer Education and Litigation Fund
21	6	20	Adds	Sec. 714.16C(2)	Consumer Education and Litigation Fund
21	15	20	Adds	Sec. 714.16C(3)	Nonreversion of Funds and Deposit of Interest and Earnings
21	21	21	Adds	Sec. 455B.112A(1)	Environmental Crimes Investigation and Prosecution Fund
21	27	21	Adds	Sec. 455B.112A(2)	Environmental Crimes Investigation and Prosecution Fund
21	34	21	Adds	Sec. 455B.112A(3)	Environmental Crimes Investigation and Prosecution Fund
22	2	21	Adds	Sec. 455B.112A(4)	Nonreversion of Funds and Deposit of Interest and Earnings

1 1 Section 1. DEPARTMENT OF JUSTICE.
 1 2 1. There is appropriated from the general fund of the
 1 3 state to the department of justice for the fiscal year
 1 4 beginning July 1, 2007, and ending June 30, 2008, the
 1 5 following amounts, or so much thereof as is necessary, to be
 1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for
 1 8 salaries, support, maintenance, miscellaneous purposes
 1 9 including the prosecuting attorneys training program, victim
 1 10 assistance grants, office of drug control policy (ODCP)
 1 11 prosecuting attorney program, odometer fraud enforcement, and
 1 12 for not more than the following full-time equivalent
 1 13 positions:
 1 14 \$ 8,967,205
 1 15 FTEs 225.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is an increase of \$350,000 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The funds will be used to fill authorized, unfunded, vacant positions.

1 16 It is the intent of the general assembly that as a
 1 17 condition of receiving the appropriation provided in this
 1 18 lettered paragraph, the department of justice shall maintain a
 1 19 record of the estimated time incurred representing each agency
 1 20 or department.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

1 21 b. For victim assistance grants:
 1 22 \$ 100,000

General Fund appropriation to the Department of Justice for the Victim Assistance Grants Program.

DETAIL: This is an increase of \$95,000 compared to the estimated FY 2007 General Fund appropriation.

1 23 The funds appropriated in this lettered paragraph shall be
 1 24 used to provide grants to care providers providing services to
 1 25 crime victims of domestic abuse or to crime victims of rape
 1 26 and sexual assault.

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 27 The balance of the victim compensation fund established in

Permits 22.00 FTE positions to be funded from the Victim

1 28 section 915.94 may be used to provide salary and support of
1 29 not more than 22 FTEs and to provide maintenance for the
1 30 victim compensation functions of the department of justice.

Compensation Fund to administer the victim compensation functions of the Department of Justice. Maintains current level of FTE positions funded from the Victim Compensation Fund.

DETAIL: Of the total FTE positions, 20.00 FTE positions are assigned to the Crime Victim Assistance Division and 2.00 FTE positions are assigned to the Office of the Attorney General, Area Prosecutions Division.

1 31 As a condition of receiving the appropriation in this
1 32 subsection, the department of justice shall transfer at least
1 33 \$3,200,000 from the victim compensation fund established in
1 34 section 915.94 to the victim assistance grant program.

Requires the Department of Justice to transfer at least \$3,200,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2007.

DETAIL: This is no change compared to the estimated FY 2007 Victim Compensation Fund transfer.

1 35 c. For legal services for persons in poverty grants as
2 1 provided in section 13.34:
2 2 \$ 1,200,000

General Fund appropriation to the Department of Justice for the Legal Services Poverty Grants Program.

DETAIL: This is an increase of \$300,000 compared to the estimated FY 2007 General Fund appropriation.

2 3 Of the amount appropriated in this paragraph, \$50,000 shall
2 4 be used by the attorney general to establish a pilot project
2 5 with a nonprofit agency in the sixth judicial district that
2 6 focuses primarily on the representation of children in
2 7 dissolution of marriage proceedings. The nonprofit agency
2 8 shall be an agency that provides a support group for
2 9 school-aged children whose parents are involved in a
2 10 dissolution of marriage proceeding and shall provide an
2 11 alternative dispute resolution family coordinator for families
2 12 where one parent has contemplated filing a petition for
2 13 dissolution of marriage or has filed such a petition. The
2 14 nonprofit agency shall provide a report to the attorney
2 15 general on the number of children and families served under

Requires the Attorney General to establish a pilot project with a nonprofit agency in the Sixth Judicial District that focuses primarily on the representation of children in dissolution of marriage proceedings. Provides specifications of the pilot project. Requires a report to the Attorney General and specifies the contents of the report.

2 16 the pilot project and any other measures used to determine the
2 17 success of the pilot project.

2 18 d. For the purpose of funding farm mediation services and
2 19 other farm assistance program provisions in accordance with
2 20 sections 13.13 through 13.24:
2 21 \$ 100,000

General Fund appropriation to the Department of Justice for the Farm Mediation Program.

DETAIL: Maintains current level of General Fund support.

2 22 2. a. The department of justice, in submitting budget
2 23 estimates for the fiscal year commencing July 1, 2008,
2 24 pursuant to section 8.23, shall include a report of funding
2 25 from sources other than amounts appropriated directly from the
2 26 general fund of the state to the department of justice or to
2 27 the office of consumer advocate. These funding sources shall
2 28 include but are not limited to reimbursements from other state
2 29 agencies, commissions, boards, or similar entities, and
2 30 reimbursements from special funds or internal accounts within
2 31 the department of justice. The department of justice shall
2 32 also report actual reimbursements for the fiscal year
2 33 commencing July 1, 2006, and actual and expected
2 34 reimbursements for the fiscal year commencing July 1, 2007.

Requires the Department of Justice, in submitting FY 2009 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2007 and FY 2008.

2 35 b. The department of justice shall include the report
3 1 required under paragraph "a", as well as information regarding
3 2 any revisions occurring as a result of reimbursements actually
3 3 received or expected at a later date, in a report to the co-
3 4 chairpersons and ranking members of the joint appropriations
3 5 subcommittee on the justice system and the legislative
3 6 services agency. The department of justice shall submit the
3 7 report on or before January 15, 2008.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2008.

3 8 Sec. 2. OFFICE OF CONSUMER ADVOCATE. There is
3 9 appropriated from the general fund of the state to the office
3 10 of consumer advocate of the department of justice for the
3 11 fiscal year beginning July 1, 2007, and ending June 30, 2008,

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of General Fund support and FTE

3 12 the following amount, or so much thereof as is necessary, to
 3 13 be used for the purposes designated:
 3 14 For salaries, support, maintenance, miscellaneous purposes,
 3 15 and for not more than the following full-time equivalent
 3 16 positions:
 3 17 \$ 2,985,115
 3 18 FTEs 27.00

positions.

3 19 Sec. 3. DEPARTMENT OF CORRECTIONS -- FACILITIES.
 3 20 1. There is appropriated from the general fund of the
 3 21 state to the department of corrections for the fiscal year
 3 22 beginning July 1, 2007, and ending June 30, 2008, the
 3 23 following amounts, or so much thereof as is necessary, to be
 3 24 used for the purposes designated:
 3 25 For the operation of adult correctional institutions,
 3 26 reimbursement of counties for certain confinement costs, and
 3 27 federal prison reimbursement, to be allocated as follows:

3 28 a. For the operation of the Fort Madison correctional
 3 29 facility, including salaries, support, maintenance, and
 3 30 miscellaneous purposes:
 3 31 \$ 43,008,741

General Fund appropriation to the Department of Corrections (DOC) for the Fort Madison Correctional Facility.

DETAIL: This is a decrease of \$695,705 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$75,107 for Department of Administrative Services (DAS) reimbursements.
- An increase of \$356,614 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$303,759 to reduce the salary shortfall. This amount is equivalent to 6.75 correctional officer positions.
- A decrease of \$1,431,185 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

3 32 b. For the operation of the Anamosa correctional facility,

General Fund appropriation to the DOC for the Anamosa Correctional

PG LN	LSB1131S	Explanation
3 33 including salaries, support, maintenance, and miscellaneous 3 34 purposes: 3 35 \$ 29,762,656	Facility. DETAIL: This is an increase of \$4,492 and a decrease of 0.50 FTE position compared to the estimated FY 2007 General Fund appropriation. The change includes: <ul style="list-style-type: none"> • An increase of \$71,994 for DAS reimbursements. • An increase of \$277,190 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$145,000 to pay water utilities. • An increase of \$324,453 to reduce the salary shortfall. This amount is equivalent to 7.21 correctional officer positions. • A decrease of \$814,145 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy. • A decrease of 0.50 FTE position for a budget adjustment. 	
4 1 Moneys are provided within this appropriation for one full- 4 2 time substance abuse counselor for the Luster Heights 4 3 facility, for the purpose of certification of a substance 4 4 abuse program at that facility.	Specifies that funds be provided for one substance abuse counselor to be employed at the Luster Heights Facility.	
4 5 c. For the operation of the Oakdale correctional facility, 4 6 including salaries, support, maintenance, and miscellaneous 4 7 purposes: 4 8 \$ 54,703,304	General Fund appropriation to the DOC for the Oakdale Correctional Facility. DETAIL: This is an increase of \$24,751,757 and 269.94 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes: <ul style="list-style-type: none"> • An increase of \$3,728 for DAS reimbursements. • An increase of \$300,000 for centralized substance abuse assessments conducted by a private contractor. • An increase of \$17,434,452 and 269.94 FTE positions for the 178-bed Special Needs Unit. • An increase of \$6,876,387 to create a centralized pharmacy by transferring funds from the other Institutions. 	

	<ul style="list-style-type: none"> An increase of \$137,190 to reduce the salary shortfall. This amount is equivalent to 3.05 correctional officer positions.
<p>4 9 d. For the operation of the Newton correctional facility, 4 10 including salaries, support, maintenance, and miscellaneous 4 11 purposes: 4 12 \$ 26,390,784</p>	<p>General Fund appropriation to the DOC for the Newton Correctional Facility.</p> <p>DETAIL: This is a decrease of \$571,614 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:</p> <ul style="list-style-type: none"> An increase of \$29,438 for DAS reimbursements. An increase of \$245,652 for increased costs and usage of food, fuel, and pharmacy. An increase of \$126,450 to reduce the salary shortfall. This amount is equivalent to 2.81 correctional officer positions. A decrease of \$973,154 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.
<p>4 13 If the United States court of appeals or the United States 4 14 supreme court declares the value-based treatment program at 4 15 the Newton correctional facility to be unconstitutional, the 4 16 program shall be permitted to continue operating and 4 17 counseling inmates at the facility through donations made to 4 18 the program.</p>	<p>Requires the value-based treatment program to continue operating at the Facility through donations, if State funding is declared to be unconstitutional.</p> <p>DETAIL: The value-based treatment program is operated by the InnerChange Freedom Initiative (IFI) and received an FY 2007 appropriation of \$310,000 from the Healthy Iowans Tobacco Trust. There is a case pending in the federal court system regarding the separation of church and State.</p>
<p>4 19 e. For the operation of the Mt. Pleasant correctional 4 20 facility, including salaries, support, maintenance, and 4 21 miscellaneous purposes: 4 22 \$ 25,384,926</p>	<p>General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.</p> <p>DETAIL: This is a decrease of \$380,202 and no change in FTE positions compared to the estimated FY 2007 General Fund</p>

4 23 f. For the operation of the Rockwell City correctional
 4 24 facility, including salaries, support, maintenance, and
 4 25 miscellaneous purposes:
 4 26 \$ 8,706,242

appropriation. The change includes:

- An increase of \$58,992 for DAS reimbursements.
- An increase of \$264,425 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$232,020 to reduce the salary shortfall. This amount is equivalent to 5.16 correctional officer positions.
- A decrease of \$935,639 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is a decrease of \$114,114 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$3,190 for DAS reimbursements.
- An increase of \$73,642 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$31,910 to reduce the salary shortfall. This amount is equivalent to 0.71 correctional officer position.
- A decrease of \$222,856 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

4 27 g. For the operation of the Clarinda correctional
 4 28 facility, including salaries, support, maintenance, and
 4 29 miscellaneous purposes:
 4 30 \$ 24,099,579

General Fund appropriation to the DOC for the Clarinda Correctional Facility.

DETAIL: This is a decrease of \$987,497 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

4 31 Moneys received by the department of corrections as
 4 32 reimbursement for services provided to the Clarinda youth
 4 33 corporation are appropriated to the department and shall be
 4 34 used for the purpose of operating the Clarinda correctional
 4 35 facility.

- An increase of \$38,632 for DAS reimbursements.
- An increase of \$183,703 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$154,099 to reduce the salary shortfall. This amount is equivalent to 3.43 correctional officer positions.
- A decrease of \$1,363,931 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

5 1 h. For the operation of the Mitchellville correctional
 5 2 facility, including salaries, support, maintenance, and
 5 3 miscellaneous purposes:
 5 4 \$ 15,294,520

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is a decrease of \$155,077 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$48,869 for DAS reimbursements.
- An increase of \$146,102 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$107,862 to reduce the salary shortfall. This amount is equivalent to 2.40 correctional officer positions.
- A decrease of \$457,910 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.

<p>5 5 i. For the operation of the Fort Dodge correctional 5 6 facility, including salaries, support, maintenance, and 5 7 miscellaneous purposes: 5 8 \$ 28,407,564</p>	<p>General Fund appropriation to the DOC for the Fort Dodge Correctional Facility.</p> <p>DETAIL: This is a decrease of \$151,725 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:</p>
	<ul style="list-style-type: none"> • An increase of \$71,318 for DAS reimbursements. • An increase of \$192,266 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$262,258 to reduce the salary shortfall. This amount is equivalent to 5.83 correctional officer positions. • A decrease of \$677,567 to transfer funds to the Iowa Medical Classification Center at Oakdale to create a centralized pharmacy.
<p>5 9 j. For reimbursement of counties for temporary confinement 5 10 of work release and parole violators, as provided in sections 5 11 901.7, 904.908, and 906.17, and for offenders confined 5 12 pursuant to section 904.513: 5 13 \$ 1,199,954</p>	<p>General Fund appropriation to the DOC for the County Confinement Account to pay for holding alleged parole and work release violators until their revocation hearing.</p> <p>DETAIL: This is an increase of \$400,000 compared to the estimated FY 2007 General Fund appropriation.</p>
<p>5 14 k. For federal prison reimbursement, reimbursements for 5 15 out-of-state placements, and miscellaneous contracts: 5 16 \$ 241,293</p>	<p>General Fund appropriation to the DOC to reimburse the federal Bureau of Prisons for confining Iowa inmates and to pay miscellaneous contracts.</p>
	<p>DETAIL: Maintains current level of General Fund support.</p>
<p>5 17 2. The department of corrections shall use funds 5 18 appropriated in subsection 1 to continue to contract for the 5 19 services of a Muslim imam.</p>	<p>Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.</p>
	<p>DETAIL: This contract is required pursuant to a federal court order.</p>

5 20 Sec. 4. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.
 5 21 1. There is appropriated from the general fund of the
 5 22 state to the department of corrections for the fiscal year
 5 23 beginning July 1, 2007, and ending June 30, 2008, the
 5 24 following amounts, or so much thereof as is necessary, to be
 5 25 used for the purposes designated:

5 26 a. For general administration, including salaries,
 5 27 support, maintenance, employment of an education director to
 5 28 administer a centralized education program for the
 5 29 correctional system, and miscellaneous purposes:
 5 30 \$ 4,855,626

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is an increase of \$721,927 and 2.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$210,600 for DAS reimbursements.
- An increase of \$200,000 for salary costs.
- An increase of \$196,327 and 1.00 FTE position for a Safety Inspector and to replace expired federal funds (Prison Rape Elimination Act) that funded 2.00 FTE positions.
- An increase of \$115,000 and 1.00 FTE position for salary and support costs for a Director of Security.

5 31 (1) It is the intent of the general assembly that as a
 5 32 condition of receiving the appropriation provided in this
 5 33 lettered paragraph, the department of corrections shall not,
 5 34 except as otherwise provided in subparagraph (3), enter into a
 5 35 new contract, unless the contract is a renewal of an existing
 6 1 contract, for the expenditure of moneys in excess of \$100,000
 6 2 during the fiscal year beginning July 1, 2007, for the
 6 3 privatization of services performed by the department using
 6 4 state employees as of July 1, 2007, or for the privatization
 6 5 of new services by the department, without prior consultation
 6 6 with any applicable state employee organization affected by
 6 7 the proposed new contract and prior notification of the co-
 6 8 chairpersons and ranking members of the joint appropriations
 6 9 subcommittee on the justice system.

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a new contract in excess of \$100,000 for privatized services during FY 2007 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

6 10 (2) It is the intent of the general assembly that each
 6 11 lease negotiated by the department of corrections with a
 6 12 private corporation for the purpose of providing private
 6 13 industry employment of inmates in a correctional institution
 6 14 shall prohibit the private corporation from utilizing inmate
 6 15 labor for partisan political purposes for any person seeking
 6 16 election to public office in this state and that a violation
 6 17 of this requirement shall result in a termination of the lease
 6 18 agreement.

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

6 19 (3) It is the intent of the general assembly that as a
 6 20 condition of receiving the appropriation provided in this
 6 21 lettered paragraph, the department of corrections shall not
 6 22 enter into a lease or contractual agreement pursuant to
 6 23 section 904.809 with a private corporation for the use of
 6 24 building space for the purpose of providing inmate employment
 6 25 without providing that the terms of the lease or contract
 6 26 establish safeguards to restrict, to the greatest extent
 6 27 feasible, access by inmates working for the private
 6 28 corporation to personal identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, shall restrict inmates' access to citizens' personal identifying information.

6 29 b. For educational programs for inmates at state penal
 6 30 institutions:
 6 31 \$ 2,070,358

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: This is an increase of \$1,000,000 compared to the estimated FY 2007 General Fund appropriation to expand the program.

6 32 It is the intent of the general assembly that moneys
 6 33 appropriated in this lettered paragraph shall be used solely
 6 34 for the purpose indicated and that the moneys shall not be
 6 35 transferred for any other purpose. In addition, it is the
 7 1 intent of the general assembly that the department shall
 7 2 consult with the community colleges in the areas in which the
 7 3 institutions are located to utilize moneys appropriated in

Specifies that it is the intent of the General Assembly that these funds be used only for inmate education. Also, requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from

<p>7 4 this lettered paragraph to fund the high school completion, 7 5 high school equivalency diploma, adult literacy, and adult 7 6 basic education programs in a manner so as to maintain these 7 7 programs at the institutions. 7 8 To maximize the funding for educational programs, the 7 9 department shall establish guidelines and procedures to 7 10 prioritize the availability of educational and vocational 7 11 training for inmates based upon the goal of facilitating an 7 12 inmate's successful release from the correctional institution. 7 13 The director of the department of corrections may transfer 7 14 moneys from Iowa prison industries for use in educational 7 15 programs for inmates.</p>	<p>prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.</p>
<p>7 16 Notwithstanding section 8.33, moneys appropriated in this 7 17 lettered paragraph that remain unobligated or unexpended at 7 18 the close of the fiscal year shall not revert but shall remain 7 19 available for expenditure only for the purpose designated in 7 20 this lettered paragraph until the close of the succeeding 7 21 fiscal year.</p>	<p>CODE: Requires nonreversion of funds for the Inmate Education Program.</p>
<p>7 22 c. For the development of the Iowa corrections offender 7 23 network (ICON) data system: 7 24 \$ 427,700</p>	<p>General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON). DETAIL: Maintains current level of General Fund support.</p>
<p>7 25 d. For offender mental health and substance abuse 7 26 treatment: 7 27 \$ 25,000</p>	<p>General Fund appropriation to the DOC for mental health and substance abuse treatment. DETAIL: Maintains current level of General Fund support.</p>
<p>7 28 e. For viral hepatitis prevention and treatment: 7 29 \$ 188,000</p>	<p>General Fund appropriation to the DOC for viral hepatitis prevention and treatment. DETAIL: Maintains current level of General Fund support.</p>
<p>7 30 f. For a transitional housing pilot project for offenders</p>	<p>General Fund appropriation to the DOC for a transitional housing pilot</p>

7 31 on parole who are in the early stages of recovery from
 7 32 substance abuse:
 7 33 \$ 20,000

project for offenders on parole.

DETAIL; Maintains current level of General Fund support.

7 34 The department of corrections shall contract with a private
 7 35 nonprofit substance abuse treatment provider in a city with a
 8 1 population exceeding sixty-five thousand but not exceeding
 8 2 seventy thousand to implement the pilot project. The
 8 3 department shall file a report with the co-chairpersons and
 8 4 ranking members of the appropriations subcommittee on the
 8 5 justice system and the legislative services agency by February
 8 6 1, 2008, detailing the number of offenders served by the pilot
 8 7 project, the recidivism rate, a description of the type of
 8 8 services received by the offenders, and the number of prison
 8 9 bed days saved by the pilot project.

Requires the DOC to contract with a private nonprofit substance abuse treatment provider in Waterloo for a transitional housing pilot project. Requires the DOC to submit a report regarding the pilot project to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by February 1, 2008. Specifies the content of the report.

8 10 2. It is the intent of the general assembly that the
 8 11 department of corrections shall continue to operate the
 8 12 correctional farms under the control of the department at the
 8 13 same or greater level of participation and involvement as
 8 14 existed as of January 1, 2007, shall not enter into any rental
 8 15 agreement or contract concerning any farmland under the
 8 16 control of the department that is not subject to a rental
 8 17 agreement or contract as of January 1, 2007, without prior
 8 18 legislative approval, and shall further attempt to provide job
 8 19 opportunities at the farms for inmates. The department shall
 8 20 attempt to provide job opportunities at the farms for inmates
 8 21 by encouraging labor-intensive farming or gardening where
 8 22 appropriate, using inmates to grow produce and meat for
 8 23 institutional consumption, researching the possibility of
 8 24 instituting food canning and cook-and-chill operations, and
 8 25 exploring opportunities for organic farming and gardening,
 8 26 livestock ventures, horticulture, and specialized crops.

Specifies that it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as existed on January 1, 2007. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

8 27 3. The department of corrections shall submit a report to

Requires the DOC to submit a report to the General Assembly by

8 28 the general assembly by January 1, 2008, concerning moneys
 8 29 recouped from inmate earnings for the reimbursement of
 8 30 operational expenses of the applicable facility during the
 8 31 fiscal year beginning July 1, 2006, for each correctional
 8 32 institution and judicial district department of correctional
 8 33 services. In addition, each correctional institution and
 8 34 judicial district department of correctional services shall
 8 35 continue to submit a report to the legislative services agency
 9 1 on a monthly basis concerning moneys recouped from inmate
 9 2 earnings pursuant to sections 904.702, 904.809, and 905.14.

January 1, 2008, concerning the FY 2007 revenues recouped from inmate earnings for operational expenses for each prison and Community-Based Corrections (CBC) District Department. Each prison and CBC District Department is required to submit monthly reports to the LSA concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

9 3 4. It is the intent of the general assembly that as a
 9 4 condition of receiving the appropriation provided in
 9 5 subsection 1, the department shall not enter into any
 9 6 agreement with a private sector nongovernmental entity for the
 9 7 purpose of housing inmates committed to the custody of the
 9 8 director of the department, without express authorization of
 9 9 the general assembly to do so.

Prohibits the DOC from contracting with a private sector nongovernmental entity to house inmates, unless authorized by the General Assembly.

9 10 Sec. 5. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 9 11 SERVICES.

9 12 1. There is appropriated from the general fund of the
 9 13 state to the department of corrections for the fiscal year
 9 14 beginning July 1, 2007, and ending June 30, 2008, for the
 9 15 treatment and supervision of probation and parole violators
 9 16 who have been released from the department of corrections
 9 17 violator program, the following amounts, or so much thereof as
 9 18 is necessary, to be allocated as follows:

9 19 a. For the first judicial district department of
 9 20 correctional services:
 9 21 \$ 12,012,728

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$378,638 and 3.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The

change includes:

- An increase of \$4,976 for DAS reimbursements.
- An increase of \$20,921 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$240,962 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- An increase of \$111,779 and 1.00 FTE position for a Drug Court Program.

9 22 b. For the second judicial district department of
 9 23 correctional services:
 9 24 \$ 9,526,073

General Fund appropriation to the DOC for the Second CBC District Department.

DETAIL: This is an increase of \$253,807 and 2.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$242 for DAS reimbursements.
- An increase of \$11,082 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$242,483 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

9 25 c. For the third judicial district department of
 9 26 correctional services:
 9 27 \$ 5,664,144

General Fund appropriation to the DOC for the Third CBC District Department.

DETAIL: This is an increase of \$160,473 and 2.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$1,152 for DAS reimbursements.
- An increase of \$3,823 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$155,498 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and

monitoring.

9 28 d. For the fourth judicial district department of
 9 29 correctional services:
 9 30 \$ 5,054,664

General Fund appropriation to the DOC for the Fourth CBC District Department.

DETAIL: This is an increase of \$100,269 and 1.00 FTE position compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$500 for DAS reimbursements.
- An increase of \$9,329 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$90,440 and 1.00 FTE position for Parole/Probation Officers for sex offender supervision and monitoring.

9 31 e. For the fifth judicial district department of
 9 32 correctional services, including funding for electronic
 9 33 monitoring devices for use on a statewide basis:
 9 34 \$ 17,115,974

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$446,004 and 3.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$10,000 for DAS reimbursements.
- An increase of \$27,789 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$408,215 and 3.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

9 35 f. For the sixth judicial district department of
 10 1 correctional services:
 10 2 \$ 12,203,009

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$739,938 and 3.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$311 for DAS reimbursements.
- An increase of \$20,105 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$211,301 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- An increase of \$508,221 to fund a partial year of operating costs for a 20-bed facility for offenders with mental illness.
- An increase of 1.00 FTE position for a budget adjustment.

10 3 The sixth judicial district department of correctional
 10 4 services shall maintain a youth leadership model program to
 10 5 help at-risk youth. As a part of the program, the district
 10 6 department may recruit college or high school students in the
 10 7 judicial district to work with at-risk youth. The student
 10 8 workers shall be recruited regardless of gender and be
 10 9 recommended by their respective schools as good role models,
 10 10 including but not limited to students who possess capabilities
 10 11 in one or more of the following areas of ability:
 10 12 intellectual capacity, athletics, visual arts, or performing
 10 13 arts.

Requires the Sixth CBC District Department to maintain a youth leadership model program. Specifies the requirements of the program.

10 14 g. For the seventh judicial district department of
 10 15 correctional services:
 10 16 \$ 6,713,412

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$197,383 and 2.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$462 for DAS reimbursements.
- An increase of \$16,801 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$180,120 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

10 17 h. For the eighth judicial district department of
 10 18 correctional services:
 10 19 \$ 6,794,585

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$240,408 and 2.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$2,886 for DAS reimbursements.
- An increase of \$11,771 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$225,751 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.

10 20 2. Each judicial district department of correctional
 10 21 services, within the funding available, shall continue
 10 22 programs and plans established within that district to provide
 10 23 for intensive supervision, sex offender treatment, diversion
 10 24 of low-risk offenders to the least restrictive sanction
 10 25 available, job development, and expanded use of intermediate
 10 26 criminal sanctions.

Requires each CBC District Department, within available funding, to continue programs and plans established within the District Department for intensive supervision, sex offender treatment, diversion of low-risk offenders to the least restrictive sanction available, job development, and expanded use of intermediate sanctions.

10 27 3. Each judicial district department of correctional
 10 28 services shall provide alternatives to prison consistent with
 10 29 chapter 901B. The alternatives to prison shall ensure public
 10 30 safety while providing maximum rehabilitation to the offender.
 10 31 A judicial district department may also establish a day
 10 32 program.

Requires each CBC District Department to provide alternatives to prison consistent with statute. Permits the District Departments to establish day programs.

10 33 4. The governor's office of drug control policy shall
 10 34 consider federal grants made to the department of corrections
 10 35 for the benefit of each of the eight judicial district
 11 1 departments of correctional services as local government
 11 2 grants, as defined pursuant to federal regulations.

Requires the Office of Drug Control Policy to consider grants made to the DOC for the benefit of the CBC District Departments as local government grants rather than State government grants or as defined by federal regulations.

11 3 5. The department of corrections shall continue to

Requires the DOC to contract with a CBC District Department for the

11 4 contract with a judicial district department of correctional
 11 5 services to provide for the rental of electronic monitoring
 11 6 equipment which shall be available statewide.

rental of electronic monitoring equipment.

DETAIL: The DOC contracts with the Fifth CBC District Department for electronic monitoring devices that are available statewide.

11 7 Sec. 6. DEPARTMENT OF CORRECTIONS -- REALLOCATION OF
 11 8 APPROPRIATIONS. Notwithstanding section 8.39, within the
 11 9 funds appropriated in this Act to the department of
 11 10 corrections, the department may reallocate the funds
 11 11 appropriated and allocated as necessary to best fulfill the
 11 12 needs of the correctional institutions, administration of the
 11 13 department, and the judicial district departments of
 11 14 correctional services. However, in addition to complying with
 11 15 the requirements of sections 904.116 and 905.8 and providing
 11 16 notice to the legislative services agency, the department of
 11 17 corrections shall also provide notice to the department of
 11 18 management, prior to the effective date of the revision or
 11 19 reallocation of an appropriation made pursuant to this
 11 20 section. The department shall not reallocate an appropriation
 11 21 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, Central Office, and CBC District Departments. Requires the DOC to provide notice to the Department of Management and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

11 22 Sec. 7. INTENT -- REPORTS.

11 23 1. The department in cooperation with townships, the Iowa
 11 24 cemetery associations, and other nonprofit or governmental
 11 25 entities may use inmate labor during the fiscal year beginning
 11 26 July 1, 2007, to restore or preserve rural cemeteries and
 11 27 historical landmarks. The department in cooperation with the
 11 28 counties may also use inmate labor to clean up roads, major
 11 29 water sources, and other water sources around the state.

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks, and to clean up roads and water resources.

11 30 2. Each month the department shall provide a status report
 11 31 regarding private-sector employment to the legislative
 11 32 services agency beginning on July 1, 2007. The report shall

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

11 33 include the number of offenders employed in the private
11 34 sector, the combined number of hours worked by the offenders,
11 35 and the total amount of allowances, and the distribution of
12 1 allowances pursuant to section 904.702, including any moneys
12 2 deposited in the general fund of the state.

12 3 Sec. 8. ELECTRONIC MONITORING REPORT. The department of
12 4 corrections shall submit a report on electronic monitoring to
12 5 the general assembly, to the co-chairpersons and the ranking
12 6 members of the joint appropriations subcommittee on the
12 7 justice system, and to the legislative services agency by
12 8 January 15, 2008. The report shall specifically address the
12 9 number of persons being electronically monitored and break
12 10 down the number of persons being electronically monitored by
12 11 offense committed. The report shall also include a comparison
12 12 of any data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2008. Specifies the content of the report.

12 13 Sec. 9. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

12 14 1. As used in this section, unless the context otherwise
12 15 requires, "state agency" means the government of the state of
12 16 Iowa, including but not limited to all executive branch
12 17 departments, agencies, boards, bureaus, and commissions, the
12 18 judicial branch, the general assembly and all legislative
12 19 agencies, institutions within the purview of the state board
12 20 of regents, and any corporation whose primary function is to
12 21 act as an instrumentality of the state.

12 22 2. State agencies are hereby encouraged to purchase
12 23 products from Iowa state industries, as defined in section
12 24 904.802, when purchases are required and the products are
12 25 available from Iowa state industries. State agencies shall
12 26 obtain bids from Iowa state industries for purchases of office
12 27 furniture during the fiscal year beginning July 1, 2007,
12 28 exceeding \$5,000 or in accordance with applicable
12 29 administrative rules related to purchases for the agency.

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

12 30 Sec. 10. STATE PUBLIC DEFENDER. There is appropriated
 12 31 from the general fund of the state to the office of the state
 12 32 public defender of the department of inspections and appeals
 12 33 for the fiscal year beginning July 1, 2007, and ending June
 12 34 30, 2008, the following amounts, or so much thereof as is
 12 35 necessary, to be allocated as follows for the purposes
 13 1 designated:

13 2 1. For salaries, support, maintenance, and miscellaneous
 13 3 purposes, and for not more than the following full-time
 13 4 equivalent positions:
 13 5 \$ 20,845,271
 13 6 FTEs 202.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$475,000 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The increase funds currently authorized positions.

13 7 As a condition of receiving moneys under this
 13 8 subsection the state public defender shall make
 13 9 recommendations about containing the costs incurred by
 13 10 the office of the state public defender and
 13 11 court-appointed attorneys for providing legal
 13 12 representation of indigent persons. The state public
 13 13 defender shall report the recommendations to the
 13 14 co-chairpersons and ranking members of the joint
 13 15 appropriations subcommittee on the justice system, and
 13 16 to the legislative services agency by December 15,
 13 17 2007.

Requires the State Public Defender to make recommendations for cost containment. Requires the State Public Defender to report those recommendations to the Chairs and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by December 15, 2007.

13 18 2. For the fees of court-appointed attorneys for indigent
 13 19 adults and juveniles, in accordance with section 232.141 and
 13 20 chapter 815:
 13 21 \$ 28,752,538

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is an increase of \$3,589,456 compared to the estimated FY 2007 General Fund appropriation.

13 22 Sec. 11. IOWA LAW ENFORCEMENT ACADEMY.

13 23 1. There is appropriated from the general fund of the
 13 24 state to the Iowa law enforcement academy for the fiscal year
 13 25 beginning July 1, 2007, and ending June 30, 2008, the
 13 26 following amount, or so much thereof as is necessary, to be
 13 27 used for the purposes designated:
 13 28 For salaries, support, maintenance, miscellaneous purposes,
 13 29 including jailer training and technical assistance, and for
 13 30 not more than the following full-time equivalent positions:
 13 31 \$ 1,218,985
 13 32 FTEs 30.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is a decrease of \$7,000 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- A decrease of \$25,000 for one-time money provided in FY 2007 for the purchase of equipment and furnishings.
- An increase of \$18,000 for increased vehicle depreciation, fuel costs, and utility costs.

13 33 It is the intent of the general assembly that the Iowa law
 13 34 enforcement academy may provide training of state and local
 13 35 law enforcement personnel concerning the recognition of and
 14 1 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

14 2 The Iowa law enforcement academy may temporarily exceed and
 14 3 draw more than the amount appropriated and incur a negative
 14 4 cash balance as long as there are receivables equal to or
 14 5 greater than the negative balance and the amount appropriated
 14 6 in this subsection is not exceeded at the close of the fiscal
 14 7 year.

Allows the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: The language is to assist with cash flow issues the Academy faces in the last quarter of the fiscal year.

14 8 2. The Iowa law enforcement academy may select at least
 14 9 five automobiles of the department of public safety, division
 14 10 of state patrol, prior to turning over the automobiles to the
 14 11 department of administrative services to be disposed of by
 14 12 public auction and the Iowa law enforcement academy may
 14 13 exchange any automobile owned by the academy for each
 14 14 automobile selected if the selected automobile is used in
 14 15 training law enforcement officers at the academy. However,
 14 16 any automobile exchanged by the academy shall be substituted
 14 17 for the selected vehicle of the department of public safety
 14 18 and sold by public auction with the receipts being deposited
 14 19 in the depreciation fund to the credit of the department of

Allows the Academy to annually exchange at least five vehicles turned into the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the Academy are to be sold at public auction with the receipts to be deposited into the Depreciation Fund used to purchase new vehicles for the Department of Public Safety.

14 20 public safety, division of state patrol.

14 21 Sec. 12. BOARD OF PAROLE. There is appropriated from the
 14 22 general fund of the state to the board of parole for the
 14 23 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 14 24 the following amount, or so much thereof as is necessary, to
 14 25 be used for the purposes designated:

14 26 For salaries, support, maintenance, miscellaneous purposes,
 14 27 and for not more than the following full-time equivalent
 14 28 positions:

14 29 \$ 1,177,849
 14 30 FTEs 17.50

General Fund appropriation to the Board of Parole.

DETAIL: Maintains current level of General Fund support and FTE positions.

14 31 Sec. 13. DEPARTMENT OF PUBLIC DEFENSE. There is
 14 32 appropriated from the general fund of the state to the
 14 33 department of public defense for the fiscal year beginning
 14 34 July 1, 2007, and ending June 30, 2008, the following amounts,
 14 35 or so much thereof as is necessary, to be used for the
 15 1 purposes designated:

15 2 1. MILITARY DIVISION

15 3 For salaries, support, maintenance, miscellaneous purposes,
 15 4 and for not more than the following full-time equivalent
 15 5 positions:

15 6 \$ 6,003,767
 15 7 FTEs 316.85

General Fund appropriation to the Military Division of the Department of Public Defense.

DETAIL: This is an increase of \$74,600 due to increased DAS fees for fuel and utilities and no change in FTE positions compared to the estimated FY 2007 appropriation.

15 8 The military division may temporarily exceed and draw more
 15 9 than the amount appropriated and incur a negative cash balance
 15 10 as long as there are receivables of federal funds equal to or
 15 11 greater than the negative balance and the amount appropriated
 15 12 in this subsection is not exceeded at the close of the fiscal
 15 13 year.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement for eligible expenses. This authorization allows the Division to borrow State General Funds to

cover these expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

15 14 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

15 15 a. For salaries, support, maintenance, miscellaneous
15 16 purposes, and for not more than the following full-time
15 17 equivalent positions:

15 18 \$ 2,101,033
15 19 FTEs 35.00

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: This is an increase of \$500,000 and 8.25 FTE positions compared to the estimated FY 2007 General Fund appropriation to replace expired federal funds.

15 20 b. For the Iowa civil air patrol:

15 21 \$ 100,000

General Fund appropriation for the Civil Air Patrol.

DETAIL: Maintains current level of General Fund support.

15 22 It is the intent of the general assembly that the homeland
15 23 security and emergency management division work in conjunction
15 24 with the department of public safety, to the extent possible,
15 25 when gathering and analyzing information related to potential
15 26 domestic or foreign security threats, and when monitoring such
15 27 threats.

Specifies the intent of the General Assembly that the Homeland Security and Emergency Management Division work in conjunction with the Department of Public Safety when gathering and analyzing information related to potential domestic and foreign security threats.

15 28 Sec. 14. DEPARTMENT OF PUBLIC SAFETY. There is
15 29 appropriated from the general fund of the state to the
15 30 department of public safety for the fiscal year beginning July
15 31 1, 2007, and ending June 30, 2008, the following amounts, or
15 32 so much thereof as is necessary, to be used for the purposes
15 33 designated:

15 34 1. For the department's administrative functions,

General Fund appropriation to the Department of Public Safety for the

15 35 including the criminal justice information system, and for not
 16 1 more than the following full-time equivalent positions:
 16 2 \$ 4,097,900
 16 3 FTEs 37.00

Administrative Services Division.

DETAIL: This is an increase of \$291,060 and a decrease of 1.00 FTE position compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$272,770 for DAS reimbursements and the back-up disaster recovery system for the IOWA On-Line Warrants and Articles System.
- An increase of \$84,450 for maintenance agreements for virtual law enforcement support programs and computer hardware and software equipment needs.
- A decrease of \$66,160 and 1.00 FTE position to transfer the Uniform Crime Report to the Division of Narcotics Enforcement.

16 4 2. For the division of criminal investigation, including
 16 5 the state's contribution to the peace officers' retirement,
 16 6 accident, and disability system provided in chapter 97A in the
 16 7 amount of 17 percent of the salaries for which the funds are
 16 8 appropriated, to meet federal fund matching requirements, and
 16 9 for not more than the following full-time equivalent
 16 10 positions:
 16 11 \$ 20,512,962
 16 12 FTEs 287.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$1,509,021 and 16.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$635,621 for 2.00 Special Agents and 6.00 gaming enforcement officers for the new facility in Burlington, 1.00 FTE position for an additional gaming enforcement officer in Worth County, and 1.00 FTE position for a licensing technician.
- An increase of \$485,400 for increased fuel, overtime, and equipment costs.
- An increase of \$388,000 and 3.00 FTE positions to continue and expand the Internet Crimes Against Children effort.
- An increase of 3.00 FTE positions funded from other receipts for Amusement Devices and the Records and Identification Bureau.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) contains an FY 2007 General Fund supplemental appropriation of \$466,500 for the DCI, that includes \$246,500 for coverage at the

Burlington gaming facility starting in May 2007, and \$220,000 for consumable supplies for the DNA All-Felons Database.

The General Fund appropriation for the gaming enforcement officers will be reimbursed 100.00% by the gaming industry to the General Fund.

16 13 The department of public safety, with the approval of the
16 14 department of management, may employ no more than two special
16 15 agents and four gaming enforcement officers for each
16 16 additional riverboat regulated after July 1, 2007, and one
16 17 special agent for each racing facility which becomes
16 18 operational during the fiscal year which begins July 1, 2007.
16 19 One additional gaming enforcement officer, up to a total of
16 20 four per riverboat, may be employed for each riverboat that
16 21 has extended operations to 24 hours and has not previously
16 22 operated with a 24-hour schedule. Positions authorized in
16 23 this paragraph are in addition to the full-time equivalent
16 24 positions otherwise authorized in this subsection.

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from the Department of Management for new riverboats licensed after July 1, 2007, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2008.

16 25 3. For the criminalistics laboratory fund created in
16 26 section 691.9:
16 27 \$ 342,000

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: Maintains current level of General Fund support.

16 28 4. a. For the division of narcotics enforcement,
16 29 including the state's contribution to the peace officers'
16 30 retirement, accident, and disability system provided in
16 31 chapter 97A in the amount of 17 percent of the salaries for
16 32 which the funds are appropriated, to meet federal fund
16 33 matching requirements, and for not more than the following
16 34 full-time equivalent positions:
16 35 \$ 5,963,415
17 1 FTEs 87.00

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division (DNE).

DETAIL: This is an increase of \$412,691 and 3.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. This includes:

- An increase of \$130,852 for increased overtime expenses.
- An increase of \$66,160 and 1.00 FTE position to transfer the Uniform Crime Report from the Administration Division.
- An increase of \$215,679 to replace expired Byrne-JAG federal funds for drug interdiction.

PG LN	LSB1131S	Explanation
		<ul style="list-style-type: none"> An increase of 2.00 FTE positions for criminal intelligence analysts funded from reimbursement receipts from the Homeland Security and Emergency Management Division and Agriculture and Land Stewardship.
17 2 17 3 17 4	b. For the division of narcotics enforcement for undercover purchases: \$ 123,343	General Fund appropriation to the Department of Public Safety for undercover purchases. DETAIL: Maintains current level of General Fund support.
17 5 17 6 17 7 17 8 17 9 17 10 17 11 17 12	5. a. For the division of state fire marshal, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of 17 percent of the salaries for which the funds are appropriated, and for not more than the following full-time equivalent positions: \$ 3,157,454 FTEs 44.00	General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office. DETAIL: This is an increase of \$489,888 and 4.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. This includes: <ul style="list-style-type: none"> An increase of \$389,888 and 2.00 FTE positions for the Building Code Bureau to fulfill the requirements of HF 2797 (FY 2007 Standing Appropriations Act) for the plan review and inspections of various public buildings. An increase of 1.00 FTE position to assist with the four licensing and certification programs in the Fire Marshal's Office. The cost of this position will be offset with receipts. An increase of \$100,000 and 1.00 FTE position for the inspection of modular homes.
		NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) contains an FY 2007 General Fund supplemental appropriation of \$100,000 to implement the State Building Code inspections beginning January 1, 2007, as specified in HF 2797 (FY 2007 Standing Appropriations Act). An equivalent amount of inspection fee revenue will be deposited into the General Fund.
17 13 17 14	b. For the division of state fire marshal, for fire protection services as provided through the state fire service	General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

17 15 and emergency response council as created in the department,
 17 16 and for not more than the following full-time equivalent
 17 17 positions:
 17 18 \$ 804,110
 17 19 FTEs 10.00

DETAIL: This is an increase of \$100,000 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation for mobile training equipment.

17 20 6. For the division of state patrol, for salaries,
 17 21 support, maintenance, workers' compensation costs, and
 17 22 miscellaneous purposes, including the state's contribution to
 17 23 the peace officers' retirement, accident, and disability
 17 24 system provided in chapter 97A in the amount of 17 percent of
 17 25 the salaries for which the funds are appropriated, and for not
 17 26 more than the following full-time equivalent positions:
 17 27 \$ 48,126,059
 17 28 FTEs 533.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is an increase of \$2,169,132 and 3.00 FTE positions compared to the estimated FY 2007 General Fund appropriation. The change includes:

- An increase of \$41,638 and 1.00 FTE position for an Electronics Technician in the State Patrol garage.
- An increase of \$195,000 for fuel.
- An increase of \$250,000 for vehicular equipment.
- An increase of \$1,279,000 for personal equipment, uniforms, communications equipment, and the replacement of one aircraft in the Iowa State Patrol Air Wing.
- An increase of \$253,494 and 2.00 FTE positions for a security detail for the Governor's children.
- An increase of \$100,000 for one additional Trooper intended to fill one of the currently vacant, unfunded positions on the Table of Organization.
- An increase of \$50,000 for rifles for approximately 34 Troopers.

NOTE: Senate File 403 (FY 2007 Supplemental Appropriations Act) contains an FY 2007 General Fund supplemental appropriation of \$150,000 for the Patrol to cover overtime expenses while monitoring the Governor and his family at his personal residence, prior to moving into Terrace Hill, and for additional security for the Governor's children. Senate File 403 also contains an FY 2007 General Fund supplemental appropriation of \$300,000 to the Department of Public Safety for equipment.

17 29 It is the intent of the general assembly that members of
 17 30 the state patrol be assigned to patrol the highways and roads

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections

17 31 in lieu of assignments for inspecting school buses for the 17 32 school districts.	rather than having road troopers perform these inspections.
17 33 7. For deposit in the sick leave benefits fund established 17 34 under section 80.42, for all departmental employees eligible 17 35 to receive benefits for accrued sick leave under the 18 1 collective bargaining agreement: 18 2 \$ 316,179	General Fund appropriation to create a non-reversionary fund in the Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement. DETAIL: Maintains current level of General Fund support.
18 3 8. For costs associated with the training and equipment 18 4 needs of volunteer fire fighters: 18 5 \$ 699,587	General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training. DETAIL: Maintains current level of General Fund support.
18 6 Notwithstanding section 8.33, moneys appropriated in this 18 7 subsection that remain unencumbered or unobligated at the 18 8 close of the fiscal year shall not revert but shall remain 18 9 available for expenditure only for the purpose designated in 18 10 this subsection until the close of the succeeding fiscal year.	CODE: Requires nonreversion of funds for fire fighter training and equipment needs.
18 11 Notwithstanding section 8.39, within the funds appropriated 18 12 in this section the department of public safety may reallocate 18 13 funds as necessary to best fulfill the needs provided for in 18 14 the appropriation. However, the department shall not 18 15 reallocate an appropriation made to the department in this 18 16 section unless notice of the reallocation is given to the 18 17 legislative services agency and the department of management 18 18 prior to the effective date of the reallocation. The notice 18 19 shall include information about the rationale for reallocating 18 20 the appropriation. The department shall not reallocate an 18 21 appropriation made in this section for the purpose of 18 22 eliminating any program.	CODE: Permits funds appropriated to the Department of Public Safety to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the LSA and the DOM prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.
18 23 Sec. 15. CIVIL RIGHTS COMMISSION. There is appropriated	

18 24 from the general fund of the state to the Iowa state civil
 18 25 rights commission for the fiscal year beginning July 1, 2007,
 18 26 and ending June 30, 2008, the following amount, or so much
 18 27 thereof as is necessary, to be used for the purposes
 18 28 designated:

18 29 For salaries, support, maintenance, miscellaneous purposes,
 18 30 and for not more than the following full-time equivalent
 18 31 positions:

18 32 \$ 1,412,647

18 33 FTEs 29.00

General Fund appropriation to the Iowa Civil Rights Commission.

DETAIL: This is an increase of \$247,325 and no change in FTE positions compared to the estimated FY 2007 General Fund appropriation. The increase replaces federal funds.

18 34 The Iowa state civil rights commission may enter into a
 18 35 contract with a nonprofit organization to provide legal
 19 1 assistance to resolve civil rights complaints.

Permits the Commission to enter into a contract with a non-profit organization for legal assistance.

19 2 Sec. 16. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 19 3 DIVISION -- 211 PROGRAM. There is appropriated from the
 19 4 wireless E911 emergency communications fund in section 34A.7A
 19 5 to the homeland security and emergency management division of
 19 6 the department of public defense for the fiscal year beginning
 19 7 July 1, 2007, and ending June 30, 2008, the following amount,
 19 8 or so much thereof as is necessary, to be used for the
 19 9 purposes designated:

19 10 For a grant to be determined by the division administrator,
 19 11 for a nonprofit organization exempt from federal income tax
 19 12 under section 501(c), of the federal Internal Revenue Code
 19 13 that is capable of operating 211 program call centers on a
 19 14 statewide basis for community information and referral
 19 15 services:

19 16 \$ 500,000

Appropriation from the E911 Wireless Fund for a grant determined by the Homeland Security and Emergency Management Division Administrator for a non-profit organization capable of operating 211 program call centers on a Statewide basis for community information and referral services.

DETAIL: This is a new one-time appropriation. Of the \$2,676,164 in the Fund, approximately \$606,000 is unencumbered as of March 17, 2007.

19 17 Sec. 17. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 19 18 DIVISION. There is appropriated from the wireless E911

Permits continued funding from the Wireless E911 Emergency Communications Fund for the E911 Program Manager in the Homeland Security and Emergency Management Division of the

19 19 emergency communications fund created in section 34A.7A to the
 19 20 administrator of the homeland security and emergency
 19 21 management division of the department of public defense for
 19 22 the fiscal year beginning July 1, 2007, and ending June 30,
 19 23 2008, an amount not exceeding \$200,000 to be used for
 19 24 implementation, support, and maintenance of the functions of
 19 25 the administrator and program manager under chapter 34A and to
 19 26 employ the auditor of the state to perform an annual audit of
 19 27 the wireless E911 emergency communications fund.

Department of Public Defense through FY 2008.

DETAIL: The Division receives up to \$200,000 and 2.50 FTE positions for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

19 28 Sec. 18. IOWA LAW ENFORCEMENT ACADEMY -- FEES.
 19 29 Notwithstanding section 80B.11B, the Iowa law enforcement
 19 30 academy may charge more than one-half the cost of providing
 19 31 the basic training course if a majority of the Iowa law
 19 32 enforcement academy council authorizes charging more than one-
 19 33 half of the cost of providing basic training. This section is
 19 34 repealed on June 30, 2008.

CODE: Allows the Iowa Law Enforcement Academy to charge more than half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2008.

DETAIL: The tuition for FY 2007 was 61.00% of the cost to attend or \$3,500 per person.

19 35 Sec. 19. NEW SECTION. 553.19 ANTITRUST FUND.

20 1 1. An antitrust fund is created as a separate fund in the
 20 2 state treasury to be administered by the attorney general.
 20 3 Moneys credited to the fund shall include amounts received as
 20 4 a result of a state or federal civil antitrust judgment or
 20 5 settlement which are based on damages sustained by the state,
 20 6 civil penalties, costs, or attorney fees, and amounts which
 20 7 are specifically directed to the credit of the fund by the
 20 8 judgment or settlement, and amounts which are designated by
 20 9 the judgment or settlement for use by the attorney general for
 20 10 antitrust enforcement or education. Amounts based upon
 20 11 damages sustained by individuals or entities outside of state
 20 12 government not designated for antitrust enforcement purposes
 20 13 or amounts based upon actual damages awarded to the state
 20 14 which would not otherwise be deposited in the general fund of
 20 15 the state shall not be credited to the fund.

CODE: Establishes an Anti-Trust Fund.

DETAIL: The Anti-Trust Fund was annually renewed in Session Law in the Justice System Appropriations Bill. This Bill codifies existing law.

20 16 2. For each fiscal year, not more than five hundred
20 17 thousand dollars is appropriated from the fund to the
20 18 department of justice to be used for enforcement of this
20 19 chapter and chapter 551, and for enforcement of federal
20 20 antitrust laws and for public education about state and
20 21 federal antitrust laws.

CODE: Limits expenditures from the Anti-Trust Fund to no more than \$500,000 annually.

DETAIL: This is an increase of \$300,000 compared to the estimated FY 2007 appropriation.

20 22 3. Notwithstanding section 8.33, moneys credited to the
20 23 fund shall not revert to any other fund. Notwithstanding
20 24 section 12C.7, interest or earnings on the moneys in the fund
20 25 shall be credited to the fund.

CODE: Requires nonreversion of funds. Credits interest and earnings to the Fund.

20 26 Sec. 20. NEW SECTION. 714.16C CONSUMER EDUCATION AND
20 27 LITIGATION FUND.

20 28 1. A consumer education and litigation fund is created as
20 29 a separate fund in the state treasury to be administered by
20 30 the attorney general. Moneys credited to the fund shall
20 31 include amounts received as a result of a state or federal
20 32 civil consumer fraud judgment or settlement, civil penalties,
20 33 costs, or attorney fees, and amounts which are specifically
20 34 directed to the credit of the fund by the judgment or
20 35 settlement, and amounts which are designated by the judgment
21 1 or settlement for use by the attorney general for consumer
21 2 litigation or education purposes. Moneys designated for
21 3 consumer reimbursement shall not be credited to the fund,
21 4 except to the extent that such moneys are permitted to be used
21 5 for enforcement of section 714.16.

CODE: Establishes the Consumer Education and Litigation Fund.

DETAIL: The Consumer Education and Litigation Fund was annually renewed in Session Law in the Justice System Appropriations Bill. This Bill codifies existing law.

21 6 2. For each fiscal year, not more than one million one
21 7 hundred twenty-five thousand dollars is appropriated from the
21 8 fund to the department of justice to be used for public
21 9 education relating to consumer fraud and for enforcement of
21 10 section 714.16 and federal consumer laws, and not more than

CODE: Limits expenditures from the Consumer Education and Litigation Fund to no more than \$1,200,000 annually.

DETAIL: This is no change compared to the estimated FY 2007 appropriation.

21 11 seventy-five thousand dollars is appropriated from the fund to
 21 12 the department of justice to be used for investigation,
 21 13 prosecution, and consumer education relating to consumer and
 21 14 criminal fraud committed against older lowans.

21 15 3. Notwithstanding section 8.33, moneys credited to the
 21 16 fund shall not revert to any other fund. Notwithstanding
 21 17 section 12C.7, interest or earnings on the moneys in the fund
 21 18 shall be credited to the fund.

CODE: Requires nonreversion of funds. Credits interest and earnings to the Fund.

21 19 Sec. 21. NEW SECTION. 455B.112A ENVIRONMENTAL CRIMES
 21 20 INVESTIGATION AND PROSECUTION FUND.

21 21 1. An environmental crimes investigation and prosecution
 21 22 fund is created as a separate fund in the state treasury to be
 21 23 administered by the attorney general. Moneys credited to the
 21 24 fund shall include court-ordered fines and restitution awarded
 21 25 to the attorney general as part of a judgment in an
 21 26 environmental criminal case.

CODE: Establishes an Environmental Crimes Investigation and Prosecution Fund.

DETAIL: The Anti-Trust Fund was annually renewed in Session Law in the Justice System Appropriations Bill. This Bill codifies existing law.

21 27 2. For each fiscal year not more than twenty thousand
 21 28 dollars is appropriated from the fund to the department of
 21 29 justice to be used for the investigation and prosecution of
 21 30 environmental crimes, including the reimbursement of expenses
 21 31 incurred by county, municipal, and other local government
 21 32 agencies cooperating with the attorney general in the
 21 33 investigation and prosecution of environmental crimes.

CODE: Limits expenditures from the Environmental Crimes Investigation and Prosecution Fund to no more than \$20,000 annually.

DETAIL: This is no change compared to the estimated FY 2007 appropriation.

21 34 3. Not more than twenty thousand dollars shall be credited
 21 35 to the fund in a fiscal year and any moneys in excess of this
 22 1 amount shall be credited to the general fund of the state.

CODE: Limits the amount credited to the Fund to no more than \$20,000 annually.

DETAIL: This is no change compared to current law.

22 2 4. Notwithstanding section 8.33, moneys credited to the

CODE: Requires nonreversion of funds. Credits interest and

22 3 fund shall not revert to any other fund. Notwithstanding
22 4 section 12C.7, interest or earnings deposited in the fund
22 5 shall be credited to the fund. earnings to the Fund.

22 6 EXPLANATION

22 7 This bill makes appropriations for fiscal year 2007-2008
22 8 from the general fund of the state to the departments of
22 9 justice, corrections, public defense, and public safety, and
22 10 the Iowa law enforcement academy, office of consumer advocate,
22 11 office of the state public defender, board of parole, and Iowa
22 12 state civil rights commission.

22 13 The bill appropriates moneys from the wireless E911
22 14 emergency communications fund to the homeland security and
22 15 emergency management division for a grant to a nonprofit
22 16 agency to operate a 211 program.

22 17 The bill also appropriates moneys, not to exceed \$200,000,
22 18 from the wireless E911 emergency communications fund to the
22 19 homeland security and emergency management division for
22 20 implementation, support, and maintenance of the functions of
22 21 the administrator and program manager of the E911 emergency
22 22 system.

22 23 The bill establishes an antitrust fund in new Code section
22 24 553.19 as a separate fund in the state treasury to be
22 25 administered by the attorney general. The bill provides that
22 26 moneys credited to the fund shall include amounts received as
22 27 a result of a state or federal civil antitrust judgment or
22 28 settlement which are based on damages sustained by the state,
22 29 civil penalties, costs, or attorney fees, and amounts which
22 30 are specifically directed to the credit of the fund by the
22 31 judgment or settlement, and amounts which are designated by
22 32 the judgment or settlement for use by the attorney general for
22 33 antitrust enforcement or education. The bill provides that
22 34 not more than \$500,000 is appropriated from the fund to the
22 35 department of justice to be used in antitrust enforcement.

23 1 Under current law, the funds appropriated from the general
23 2 fund of the state to the department of justice for antitrust
23 3 enforcement reoccur in session law each year and are

23 4 contingent upon the general fund of the state receiving an
23 5 amount at least equal to the amount received by the state or
23 6 political subdivision of the state by an antitrust enforcement
23 7 judgment or settlement, and the funds appropriated to the
23 8 department for antitrust enforcement are not to exceed
23 9 \$200,000.

23 10 The bill establishes a consumer education and litigation
23 11 fund in new Code section 714.16C as a separate fund in the
23 12 state treasury to be administered by the attorney general.
23 13 The bill provides that moneys credited to the fund include
23 14 amounts received as a result of a state or federal civil
23 15 consumer fraud judgment or settlement, civil penalties, costs,
23 16 or attorney fees, and amounts which are specifically directed
23 17 to the credit of the fund by the judgment or settlement, and
23 18 amounts which are specifically directed to the credit of the
23 19 fund by the judgment or settlement, and amounts which are
23 20 designated by the judgment or settlement for use by the
23 21 attorney general for consumer litigation or education
23 22 purposes. The bill provides that not more than \$1,125,000 is
23 23 appropriated from the fund to the department of justice for
23 24 consumer fraud education and enforcement, and not more than
23 25 \$75,000 is appropriated from the fund to the department for
23 26 education, investigation, and prosecution relating to consumer
23 27 and criminal fraud against older lowans.

23 28 Under current law, the funds appropriated to the department
23 29 of justice for consumer fraud reoccur in session law each year
23 30 and are contingent upon the general fund of the state
23 31 receiving an amount at least equal to the amount received by
23 32 the state or political subdivision of the state through a
23 33 fraud judgment or settlement.

23 34 The bill establishes an environmental crimes investigation
23 35 and prosecution fund in new Code section 455B.112A as a
24 1 separate fund in the state treasury to be administered by the
24 2 attorney general. Moneys credited to the fund include
24 3 court-ordered fines and restitution awarded to the attorney
24 4 general as part of a judgment in an environmental criminal
24 5 case. The bill provides that not more than \$20,000 is
24 6 appropriated from the fund to the department of justice to be

24 7 used for the investigation and prosecution of environmental
24 8 crimes. The bill provides that not more than \$20,000 shall be
24 9 credited to the fund in a fiscal year and any moneys in excess
24 10 of this amount shall be credited to the general fund of the
24 11 state.

24 12 Under current law, the funds appropriated to the department
24 13 of justice reoccur in session law each year and are contingent
24 14 upon the environmental crime fund receiving an amount at least
24 15 equal to the contributions, court-ordered restitution as part
24 16 of judgments, and consent decrees entered as part of an
24 17 environmental enforcement action.

24 18 The bill addresses Code section 80B.11B to provide that for
24 19 FY 2007-2008 the Iowa law enforcement academy may charge a
24 20 department of the state, a member of a police force, or any
24 21 political subdivision of the state more than one-half of the
24 22 cost to provide the basic training course for a law
24 23 enforcement officer, provided a majority of the Iowa law
24 24 enforcement council approves such a charge. Current law
24 25 prohibits the Iowa law enforcement academy from charging more
24 26 than one-half of the cost of providing the basic training
24 27 course.

24 28 The bill provides that the department of corrections may
24 29 reallocate appropriated funds between the institutions of the
24 30 department of corrections, the department's administration,
24 31 and the judicial district departments of correctional
24 32 services. The bill provides the department, prior to the
24 33 effective date of any reallocation, must provide notice to the
24 34 department of management, the legislative services agency, and
24 35 the district board of any judicial district department of
25 1 correctional services affected by the reallocation.

25 2 The bill provides that the department of public safety may
25 3 also reallocate the funds appropriated to the department
25 4 between the divisions of the department. The bill provides
25 5 that the department, prior to the effective date of any
25 6 reallocation, must provide notice of the reallocation to the
25 7 department of management and the legislative services agency.

25 8 The bill permits a value-based treatment program to
25 9 continue to operate at the Newton correctional facility if the

25 10 program is declared unconstitutional if the program is funded
25 11 through donations.
25 12 The bill requires the attorney general to establish a pilot
25 13 project with a nonprofit agency in the sixth judicial district
25 14 that focuses primarily on the representation of children in
25 15 dissolution of marriage proceedings.
25 16 LSB 1131JB 82
25 17 jm:jp/je/5

Summary Data

General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Subcom FY 2008 <u>(3)</u>	Senate Sub vs. Est 2007 <u>(4)</u>	Page and Line # <u>(5)</u>
Justice System	\$ 435,668,847	\$ 462,042,920	\$ 498,978,255	\$ 36,935,335	
Grand Total	<u>\$ 435,668,847</u>	<u>\$ 462,042,920</u>	<u>\$ 498,978,255</u>	<u>\$ 36,935,335</u>	

Justice System General Fund

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Subcom FY 2008 (3)	Senate Sub vs. Est 2007 (4)	Page and Line # (5)
<u>Justice, Department of</u>					
Justice, Department of					
General Office A.G.	\$ 8,329,413	\$ 8,617,205	\$ 8,967,205	\$ 350,000	PG 1 LN 7
Victim Assistance Grants	5,000	5,000	100,000	95,000	PG 1 LN 21
Legal Services Poverty Grants	900,000	900,000	1,200,000	300,000	PG 1 LN 35
Farm Mediation Services	0	100,000	100,000	0	PG 2 LN 18
Total Justice, Department of	\$ 9,234,413	\$ 9,622,205	\$ 10,367,205	\$ 745,000	
Consumer Advocate					
Consumer Advocate	\$ 3,015,887	\$ 2,985,115	\$ 2,985,115	\$ 0	PG 3 LN 8
Total Justice, Department of	\$ 12,250,300	\$ 12,607,320	\$ 13,352,320	\$ 745,000	
<u>Civil Rights Commission</u>					
Civil Rights Commission					
Civil Rights Commission	\$ 985,753	\$ 1,165,322	\$ 1,412,647	\$ 247,325	PG 18 LN 29
Total Civil Rights Commission	\$ 985,753	\$ 1,165,322	\$ 1,412,647	\$ 247,325	
<u>Corrections, Department of</u>					
Community Based Corrections District 1					
CBC District I	\$ 11,043,105	\$ 11,634,090	\$ 12,012,728	\$ 378,638	PG 9 LN 19
Community Based Corrections District 2					
CBC District II	\$ 8,741,865	\$ 9,272,266	\$ 9,526,073	\$ 253,807	PG 9 LN 22
Community Based Corrections District 3					
CBC District III	\$ 5,111,348	\$ 5,503,671	\$ 5,664,144	\$ 160,473	PG 9 LN 25
Community Based Corrections District 4					
CBC District IV	\$ 4,677,523	\$ 4,954,395	\$ 5,054,664	\$ 100,269	PG 9 LN 28
Community Based Corrections District 5					
CBC District V	\$ 14,922,909	\$ 16,669,970	\$ 17,115,974	\$ 446,004	PG 9 LN 31
Community Based Corrections District 6					
CBC District VI	\$ 10,935,021	\$ 11,463,071	\$ 12,203,009	\$ 739,938	PG 9 LN 35
Community Based Corrections District 7					
CBC District VII	\$ 6,148,378	\$ 6,516,029	\$ 6,713,412	\$ 197,383	PG 10 LN 14

Justice System General Fund

	Actual FY 2006	Estimated FY 2007	Senate Subcom FY 2008	Senate Sub vs. Est 2007	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Community Based Corrections District 8					
CBC District VIII	\$ 6,209,818	\$ 6,554,177	\$ 6,794,585	\$ 240,408	PG 10 LN 17
Corrections-Central Office					
County Confinement	\$ 799,954	\$ 799,954	\$ 1,199,954	\$ 400,000	PG 5 LN 9
Federal Prisoners/ Contractual	241,293	241,293	241,293	0	PG 5 LN 14
Corrections Administration	3,564,637	4,133,699	4,855,626	721,927	PG 5 LN 26
Corrections Education	1,058,358	1,070,358	2,070,358	1,000,000	PG 6 LN 29
Iowa Corrections Offender Network	427,700	427,700	427,700	0	PG 7 LN 22
Hepatitis Treatment and Education	0	188,000	188,000	0	PG 7 LN 28
Mental Health/Substance Abuse	25,000	25,000	25,000	0	PG 7 LN 25
Transitional Housing - Comm. Based	0	20,000	20,000	0	PG 7 LN 30
Total Corrections-Central Office	\$ 6,116,942	\$ 6,906,004	\$ 9,027,931	\$ 2,121,927	
Corrections - Fort Madison					
Ft. Madison Institution	\$ 42,046,828	\$ 43,704,446	\$ 43,008,741	\$ -695,705	PG 3 LN 28
Corrections - Anamosa					
Anamosa Institution	\$ 28,463,655	\$ 29,758,164	\$ 29,762,656	\$ 4,492	PG 3 LN 32
Corrections - Oakdale					
Oakdale Institution	\$ 26,361,205	\$ 29,951,547	\$ 54,703,304	\$ 24,751,757	PG 4 LN 5
Corrections - Newton					
Newton Institution	\$ 26,045,390	\$ 26,962,398	\$ 26,390,784	\$ -571,614	PG 4 LN 9
Corrections - Mt Pleasant					
Mt. Pleasant Inst.	\$ 24,583,809	\$ 25,765,128	\$ 25,384,926	\$ -380,202	PG 4 LN 19
Corrections - Rockwell City					
Rockwell City Institution	\$ 8,475,178	\$ 8,820,356	\$ 8,706,242	\$ -114,114	PG 4 LN 23
Corrections - Clarinda					
Clarinda Institution	\$ 24,105,790	\$ 25,087,076	\$ 24,099,579	\$ -987,497	PG 4 LN 27
Corrections - Mitchellville					
Mitchellville Institution	\$ 14,545,770	\$ 15,449,597	\$ 15,294,520	\$ -155,077	PG 5 LN 1
Corrections - Fort Dodge					
Ft. Dodge Institution	\$ 27,643,927	\$ 28,559,289	\$ 28,407,564	\$ -151,725	PG 5 LN 5
Total Corrections, Department of	\$ 296,178,461	\$ 313,531,674	\$ 339,870,836	\$ 26,339,162	

Justice System General Fund

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Subcom FY 2008 (3)	Senate Sub vs. Est 2007 (4)	Page and Line # (5)
<u>Inspections & Appeals, Department of</u>					
Public Defender					
Public Defender	\$ 19,172,795	\$ 20,370,271	\$ 20,845,271	\$ 475,000	PG 13 LN 2
Indigent Defense Appropriation	25,163,082	25,163,082	28,752,538	3,589,456	PG 13 LN 18
Total Inspections & Appeals, Department of	\$ 44,335,877	\$ 45,533,353	\$ 49,597,809	\$ 4,064,456	
<u>Law Enforcement Academy</u>					
Law Enforcement Academy					
Iowa Law Enforcement Academy	\$ 1,134,189	\$ 1,225,985	\$ 1,218,985	\$ -7,000	PG 13 LN 23
Total Law Enforcement Academy	\$ 1,134,189	\$ 1,225,985	\$ 1,218,985	\$ -7,000	
<u>Parole, Board of</u>					
Parole Board					
Parole Board	\$ 1,151,678	\$ 1,177,849	\$ 1,177,849	\$ 0	PG 14 LN 21
Total Parole, Board of	\$ 1,151,678	\$ 1,177,849	\$ 1,177,849	\$ 0	
<u>Public Defense, Department of</u>					
Public Defense, Department of					
Public Defense, Department of	\$ 5,315,459	\$ 5,929,167	\$ 6,003,767	\$ 74,600	PG 15 LN 3
Civil Air Patrol	100,000	100,000	100,000	0	PG 15 LN 20
Total Public Defense, Department of	\$ 5,415,459	\$ 6,029,167	\$ 6,103,767	\$ 74,600	
Public Defense - Emergency Management Division					
Homeland Security & Emer. Mgmt.	\$ 1,253,414	\$ 1,601,033	\$ 2,101,033	\$ 500,000	PG 15 LN 15
Total Public Defense, Department of	\$ 6,668,873	\$ 7,630,200	\$ 8,204,800	\$ 574,600	

Justice System General Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Subcom FY 2008 <u>(3)</u>	Senate Sub vs. Est 2007 <u>(4)</u>	Page and Line # <u>(5)</u>
<u>Public Safety, Department of</u>					
Public Safety, Department of					
Public Safety Administration	\$ 3,591,874	\$ 3,806,840	\$ 4,097,900	\$ 291,060	PG 15 LN 34
Public Safety DCI	16,261,477	19,003,941	20,512,962	1,509,021	PG 16 LN 4
Narcotics Enforcement	4,896,396	5,550,724	5,963,415	412,691	PG 16 LN 28
Public Safety Undercover Funds	123,343	123,343	123,343	0	PG 17 LN 2
DPS Fire Marshal	2,321,122	2,667,566	3,157,454	489,888	PG 17 LN 5
Fire Service	675,820	704,110	804,110	100,000	PG 17 LN 13
Iowa State Patrol	43,735,918	45,956,927	48,126,059	2,169,132	PG 17 LN 20
DPS/SPOC Sick Leave Payout	316,179	316,179	316,179	0	PG 17 LN 33
Fire Fighter Training	699,587	699,587	699,587	0	PG 18 LN 3
DCI - Crime Lab Equipment/Training	342,000	342,000	342,000	0	PG 16 LN 25
Total Public Safety, Department of	\$ 72,963,716	\$ 79,171,217	\$ 84,143,009	\$ 4,971,792	
Total Justice System	\$ 435,668,847	\$ 462,042,920	\$ 498,978,255	\$ 36,935,335	

Summary Data

Other Fund

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Subcom FY 2008 (3)	Senate Sub vs. Est 2007 (4)	Page and Line # (5)
Justice System	\$ 0	\$ 0	\$ 2,220,000	\$ 2,220,000	
Grand Total	\$ 0	\$ 0	\$ 2,220,000	\$ 2,220,000	

Justice System

Other Fund

	Actual FY 2006 <u>(1)</u>	Estimated FY 2007 <u>(2)</u>	Senate Subcom FY 2008 <u>(3)</u>	Senate Sub vs. Est 2007 <u>(4)</u>	Page and Line # <u>(5)</u>
<u>Justice, Department of</u>					
Justice, Department of					
Consumer Education Fund	\$ 0	\$ 0	\$ 1,200,000	\$ 1,200,000	PG 21 LN 6
Court Ordered Environmental Cr	0	0	20,000	20,000	PG 21 LN 34
Fine Paper Anti Trust	0	0	500,000	500,000	PG 20 LN 16
Total Justice, Department of	\$ 0	\$ 0	\$ 1,720,000	\$ 1,720,000	
<u>Public Defense, Department of</u>					
Public Defense - Emergency Management Division					
211 Program	\$ 0	\$ 0	\$ 500,000	\$ 500,000	PG 19 LN 2
Total Public Defense, Department of	\$ 0	\$ 0	\$ 500,000	\$ 500,000	
Total Justice System	\$ 0	\$ 0	\$ 2,220,000	\$ 2,220,000	

Summary Data

FTE

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Subcom FY 2008 (3)	Senate Sub vs. Est 2007 (4)	Page and Line # (5)
Justice System	5,619.88	5,984.19	6,308.88	324.69	
Grand Total	5,619.88	5,984.19	6,308.88	324.69	

Justice System

FTE

<u>Justice, Department of</u>	<u>Actual FY 2006</u>	<u>Estimated FY 2007</u>	<u>Senate Subcom FY 2008</u>	<u>Senate Sub vs. Est 2007</u>	<u>Page and Line #</u>
	(1)	(2)	(3)	(4)	(5)
Justice, Department of					
General Office A.G.	187.46	225.50	225.50	0.00	PG 1 LN 7
Victim Compensation Fund	19.17	20.00	22.00	2.00	PG 1 LN 27
Total Justice, Department of	206.63	245.50	247.50	2.00	
Consumer Advocate					
Consumer Advocate	22.52	27.00	27.00	0.00	PG 3 LN 8
Total Justice, Department of	229.15	272.50	274.50	2.00	
<u>Civil Rights Commission</u>					
Civil Rights Commission	23.27	29.00	29.00	0.00	PG 18 LN 29
Total Civil Rights Commission	23.27	29.00	29.00	0.00	
<u>Corrections, Department of</u>					
Community Based Corrections District 1					
CBC District I	186.00	197.00	200.00	3.00	PG 9 LN 19
Community Based Corrections District 2					
CBC District II	142.84	144.34	146.34	2.00	PG 9 LN 22
Community Based Corrections District 3					
CBC District III	76.79	79.99	81.99	2.00	PG 9 LN 25
Community Based Corrections District 4					
CBC District IV	72.00	74.00	75.00	1.00	PG 9 LN 28
Community Based Corrections District 5					
CBC District V	245.32	259.28	262.28	3.00	PG 9 LN 31
Community Based Corrections District 6					
CBC District VI	185.06	188.06	191.06	3.00	PG 9 LN 35
Community Based Corrections District 7					
CBC District VII	100.45	103.45	105.45	2.00	PG 10 LN 14
Community Based Corrections District 8					
CBC District VIII	92.50	92.65	94.65	2.00	PG 10 LN 17

Justice System

FTE

	Actual FY 2006	Estimated FY 2007	Senate Subcom FY 2008	Senate Sub vs. Est 2007	Page and Line #
	(1)	(2)	(3)	(4)	(5)
Corrections-Central Office					
Corrections Administration	40.05	48.18	50.18	2.00	PG 5 LN 26
Corrections - Fort Madison					
Ft. Madison Institution	514.08	566.50	566.50	0.00	PG 3 LN 28
Corrections - Anamosa					
Anamosa Institution	348.48	367.25	366.75	-0.50	PG 3 LN 32
Corrections - Oakdale					
Oakdale Institution	307.60	341.27	611.21	269.94	PG 4 LN 5
Corrections - Newton					
Newton Institution	319.73	351.00	351.00	0.00	PG 4 LN 9
Corrections - Mt Pleasant					
Mt. Pleasant Inst.	296.95	316.16	316.16	0.00	PG 4 LN 19
Corrections - Rockwell City					
Rockwell City Institution	103.81	109.00	109.00	0.00	PG 4 LN 23
Corrections - Clarinda					
Clarinda Institution	306.49	310.90	310.90	0.00	PG 4 LN 27
Corrections - Mitchellville					
Mitchellville Institution	189.44	199.00	199.00	0.00	PG 5 LN 1
Corrections - Fort Dodge					
Ft. Dodge Institution	349.36	366.00	366.00	0.00	PG 5 LN 5
Total Corrections, Department of	<u>3,876.94</u>	<u>4,114.03</u>	<u>4,403.47</u>	<u>289.44</u>	
<u>Inspections & Appeals, Department of</u>					
Public Defender					
Public Defender	201.56	202.00	202.00	0.00	PG 13 LN 2
Total Inspections & Appeals, Department of	<u>201.56</u>	<u>202.00</u>	<u>202.00</u>	<u>0.00</u>	
<u>Law Enforcement Academy</u>					
Law Enforcement Academy					
Iowa Law Enforcement Academy	25.83	30.05	30.05	0.00	PG 13 LN 23
Total Law Enforcement Academy	<u>25.83</u>	<u>30.05</u>	<u>30.05</u>	<u>0.00</u>	

Justice System

FTE

	Actual FY 2006 (1)	Estimated FY 2007 (2)	Senate Subcom FY 2008 (3)	Senate Sub vs. Est 2007 (4)	Page and Line # (5)
<u>Parole, Board of</u>					
Parole Board					
Parole Board	13.24	17.50	17.50	0.00	PG 14 LN 21
Total Parole, Board of	13.24	17.50	17.50	0.00	
<u>Public Defense, Department of</u>					
Public Defense, Department of					
Public Defense, Department of	304.78	316.85	316.85	0.00	PG 15 LN 3
Public Defense - Emergency Management Division					
Homeland Security & Emer. Mgmt.	52.81	26.75	35.00	8.25	PG 15 LN 15
Public Defense-Nonappropriated FTEs					
Wireless E911 Surcharge	2.01	2.01	2.01	0.00	PG 19 LN 17
Total Public Defense, Department of	359.60	345.61	353.86	8.25	
<u>Public Safety, Department of</u>					
Public Safety, Department of					
Public Safety Administration	38.92	38.00	37.00	-1.00	PG 15 LN 34
Public Safety DCI	228.75	271.50	287.50	16.00	PG 16 LN 4
Narcotics Enforcement	69.15	84.00	87.00	3.00	PG 16 LN 28
DPS Fire Marshal	37.33	40.00	44.00	4.00	PG 17 LN 5
Fire Service	9.19	10.00	10.00	0.00	PG 17 LN 13
Iowa State Patrol	506.95	530.00	533.00	3.00	PG 17 LN 20
Total Public Safety, Department of	890.30	973.50	998.50	25.00	
Total Justice System	5,619.88	5,984.19	6,308.88	324.69	